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REMARKS

Claims 1-8 and 21 are currently pending in the subject application, and are presently under consideration. Claims 9-20 have been withdrawn pursuant to a restriction requirement. Applicants' representative proposed amendments to claims 1, 2, 4-8 and 21 in the Reply to Final Office Action faxed on March 6, 2003 and submitted that the finality of the Office Action dated January 6, 2003 was premature. However, the Examiner contended that the finality of the Office Action dated January 6, 2003 was proper and issued an Advisory Action in which the proposed amendments were not entered.

Accordingly to §706.07(a) of the MPEP, "a second or any subsequent action on the merits in any application ... should not be made final if it includes a rejection, on prior art not of record, of any claim amended to include limitations which should reasonably have been expected to be claimed... For example, one would reasonably expect that a rejection under 35 U.S.C. 112 for the reason of incompleteness would be replied to by an amendment supplying the omitted element." Claims 1-8 were rejected on newly cited art in the Office Action dated January 6, 2003. However, the amendments made to the claims in the previous Reply to Office Action should have been reasonably expected as they were made in response to a rejection under 35 U.S.C. 112. Accordingly, it is submitted that the finality of the Office Action was premature. Withdrawal of the finality and entry of the proposed amendments are requested.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

The Examiner is invited to contact Applicants' undersigned representative over the telephone to expedite favorable prosecution of the subject application.

Respectfully submitted,



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